

1-1 By: Rodríguez, Burton S.B. No. 430
 1-2 (In the Senate - Filed January 6, 2017; February 6, 2017,
 1-3 read first time and referred to Committee on Health & Human
 1-4 Services; April 10, 2017, reported adversely, with favorable
 1-5 Committee Substitute by the following vote: Yeas 7, Nays 1;
 1-6 April 10, 2017, sent to printer.)

1-7 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-8				
1-9	X			
1-10	X			
1-11	X			
1-12	X			
1-13		X		
1-14			X	
1-15	X			
1-16	X			
1-17	X			

1-18 COMMITTEE SUBSTITUTE FOR S.B. No. 430 By: Watson

1-19 A BILL TO BE ENTITLED
 1-20 AN ACT

1-21 relating to the regulation of the practice of dental hygiene.
 1-22 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:
 1-23 SECTION 1. Section 258.001, Occupations Code, is amended to
 1-24 read as follows:
 1-25 Sec. 258.001. ~~[IMPERMISSIBLE]~~ DELEGATIONS. (a) A dentist
 1-26 may not delegate:
 1-27 (1) an act to an individual who, by board order, is
 1-28 prohibited from performing the act;
 1-29 (2) any of the following acts to a person not licensed
 1-30 as a dentist or dental hygienist:
 1-31 (A) the removal of calculus, deposits, or
 1-32 accretions from the natural and restored surfaces of exposed human
 1-33 teeth and restorations in the human mouth;
 1-34 (B) root planing or the smoothing and polishing
 1-35 of roughened root surfaces or exposed human teeth; or
 1-36 (C) any other act the delegation of which is
 1-37 prohibited by board rule; or
 1-38 (3) any of the following acts to a person not licensed
 1-39 as a dentist:
 1-40 (A) comprehensive examination or diagnosis and
 1-41 treatment planning;
 1-42 (B) a surgical or cutting procedure on hard or
 1-43 soft tissue;
 1-44 (C) the prescription of a drug, medication, or
 1-45 work authorization;
 1-46 (D) the taking of an impression for a final
 1-47 restoration, appliance, or prosthesis;
 1-48 (E) the making of an intraoral occlusal
 1-49 adjustment;
 1-50 (F) direct pulp capping, pulpotomy, or any other
 1-51 endodontic procedure;
 1-52 (G) the final placement and intraoral adjustment
 1-53 of a fixed or removable appliance; or
 1-54 (H) the placement of any final restoration.
 1-55 (b) A dentist may delegate ~~[, or~~
 1-56 ~~[(4)]~~ the authority to an individual to administer a
 1-57 local anesthetic agent, inhalation sedative agent, parenteral
 1-58 sedative agent, or general anesthetic agent if the individual is
 1-59 ~~[not]~~ licensed as:
 1-60 (1) ~~[(A)]~~ a dentist, with a permit issued by the board

2-1 for the procedure being performed~~[7]~~ if a permit is required;
2-2 (2) [~~B~~] a certified registered nurse anesthetist
2-3 licensed by the Texas Board of Nursing, only if the delegating
2-4 dentist holds a permit issued by the board for the procedure being
2-5 performed~~[7]~~ if a permit is required; ~~[or]~~
2-6 (3) [~~C~~] a physician anesthesiologist licensed by
2-7 the Texas Medical Board; or
2-8 (4) a dental hygienist, only if:
2-9 (A) the procedure is the administration of a
2-10 local anesthetic agent under Section 262.002(a)(6);
2-11 (B) the dental hygienist has passed a
2-12 certification examination approved by the board; and
2-13 (C) the dental hygienist:
2-14 (i) has completed a course approved by the
2-15 board to train dental hygienists to administer local anesthetic
2-16 agents; or
2-17 (ii) has been licensed in good standing
2-18 within the past year to administer local anesthetic agents:
2-19 (a) by a branch of the United States
2-20 armed forces; or
2-21 (b) by another state.

2-22 SECTION 2. Section 262.002(a), Occupations Code, is amended
2-23 to read as follows:

2-24 (a) A person practices dental hygiene if the person:
2-25 (1) removes accumulated matter, tartar, deposits,
2-26 accretions, or stains, other than mottled enamel stains, from the
2-27 natural and restored surface of exposed human teeth and
2-28 restorations in the human mouth;
2-29 (2) smoothes roughened root surfaces;
2-30 (3) polishes exposed human teeth, restorations in the
2-31 human mouth, or roughened root surfaces;
2-32 (4) topically applies drugs to the surface tissues of
2-33 the human mouth or the exposed surface of human teeth;
2-34 (5) makes dental x-rays; ~~and~~
2-35 (6) administers infiltration anesthesia under the
2-36 authorization and direct supervision of a dentist; and
2-37 (7) performs any other service, task, or procedure
2-38 prescribed by board rule.

2-39 SECTION 3. (a) The State Board of Dental Examiners, not
2-40 later than January 1, 2018, shall:

2-41 (1) prescribe by rule the requirements for a course to
2-42 train dental hygienists to administer local anesthetic agents; and
2-43 (2) develop a procedure for the approval of courses
2-44 described by Subdivision (1) of this subsection.

2-45 (b) A rule adopted under Subsection (a) of this section must
2-46 require that a course be offered in a classroom setting at an
2-47 educational institution accredited by the Commission on Dental
2-48 Accreditation of the American Dental Association.

2-49 SECTION 4. This Act takes effect September 1, 2017.

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